

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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|-------------------------------------|---|-----------------------------|
| JANE DOE, <i>et al.</i> , | : | |
| Plaintiffs, | : | |
| | : | |
| v. | : | Civil No. 5:21-cv-01530-JMG |
| | : | |
| ALEJANDRO MAYORKAS, <i>et al.</i> , | : | |
| Defendants. | : | |

ORDER

AND NOW, on this 28th day of October, 2021, after careful consideration of Defendants' Motion to Dismiss (ECF No. 20), Plaintiffs' Response in Opposition (ECF No. 21), Defendants' Reply (ECF No. 25), the parties' Joint Statement of Supplemental Authority (ECF No. 29), and for the reasons provided in the accompanying Memorandum Opinion, it is hereby **ORDERED** that Defendants' Motion (ECF No. 20) is **GRANTED in part** as follows:

1. Count III is **DISMISSED** for lack of subject matter jurisdiction.
2. Counts I and II are **DISMISSED** for lack of subject matter jurisdiction to the extent that they raise claims concerning the USCIS' duty to issue employment authorization.
3. The Motion is **DENIED** in all other respects as to Counts I and II.

BY THE COURT:

/s/ John M. Gallagher
JOHN M. GALLAGHER
United States District Court Judge